

LOADSTAR LETTER

"The Biggest, The Best" • Since 1984 • Number 7 • February 1994

Winter Storm Floods CMD Offices

01/20/94 LONGMEADOW, MA (LS) -- Overnight (it always happens overnight), the water rolled in under the door, spreading grit, mildew and destruction. When CMD employees entered their offices this week, they stepped onto a carpet of water that stretched from the warehouse to the work areas. Damage was measured only in the hundreds of dollars since very little of the inventory touches the floor. "Only one misplaced box of disks was destroyed," said Doug Cotton, "The rest of the cost will be the clean up." There will be no interruption of service. □

CompuServe Music Suit Could be Far Reaching

12/17/93 NEW YORK, NEW YORK, U.S.A., 1993 DEC 17 (NB) -- Users have written, telling *LOADSTAR* that they see popular songs online in SID format. Why doesn't *LOADSTAR* use them? What follows is an article by Dana Blankenhorn, which explains why *LOADSTAR* will not use popular music on its disks. Just replace the word *MIDI* with *SID* or *StereoSID*, and it becomes obvious why *LOADSTAR* avoids popular music: Music publishers have sued CompuServe in a case which could have far-reaching effects, but which has not had a practical impact yet. In a complaint filed in the US District Court for the Southern District in New York City, CompuServe is being charged with violating the copyright on the tune "Unchained Melody," by Alex North and Hy Zaret. The song dates from 1955, but its best-known use was a 1965 version by the Righteous Brothers. The suit charges that the copyright has been violated at least 690 times, based on uploads and downloads of MIDI files in the music forums on CompuServe.

The case has potentially far-reaching effects. If music is to attain the same legal protections as software, then copyrighted MIDI files will have to be purged from all of the thousands of bulletin board systems which now post them, not just CompuServe. It may be necessary for trade groups to launch massive education campaigns and engage on raids on computer users homes, as is now done with software, observers suggest. Even at that, of course, the success of the effort may prove limited. Despite legal protections and enforcement efforts, software piracy remains a big problem.

In the case at issue, however, the plaintiffs are trying to simplify their task of enforcement by making the online service responsible for infringements, as bulletin board operators are held responsible for postings of copyrighted software. The Wall Street Journal quoted plaintiff's attorney Alan Shulman as saying "it's too much work" to go after the people uploading and downloading such files. "I'll never chase them all over the country." That's why he wants to hold the systems that post such files liable for infringement. The suit asks \$100,000 for each infringement.

Newsbytes reached Mr. Shulman at the offices of the National Music Publishers Association, which shares offices with the Harry Fox music publishing firm. The association is

reportedly backing the suit, turning it into a class-action on behalf of some of its 500 members. Mr. Shulman, upon learning that Newsbytes is distributed online, refused our request for an interview. When asked for advice on avoiding lawsuits, he declined to give any, and hung up the phone. CompuServe spokesmen were also unavailable for comment at press time.

Newsbytes joined the music forums at issue, and left a note for sysop Jim Maki, but a reply to that note had not arrived by press time. We checked the forum's procedures for uploading files, which might be of issue, and found this standard disclaimer -- "Under our Agreement and Operating Rules, you must own or have sufficient rights to any information you place on the Service." We also browsed the most recent uploads to the section and found that, while most files are patches to MIDI programs or original compositions, some are admitted variants of popular, and copywritten, songs." (Dana Blankenhorn/19931217/Press Contact: CompuServe, Debra Young, 614-538-4553; Alan Shulman, National Music Publishers' Association, 212-370-5330)

Software Rental Out In Canada Following NAFTA

01/14/94 OTTAWA, ONTARIO, CANADA, 1994 JAN 14 (NB) -- Renting software is now illegal in Canada except with the express permission of the software publisher. The change in Canadian copyright law is a result of the North American Free Trade Agreement (NAFTA), under which Canada agreed to bring its law on this point in line with that of the United States.

In the past, renting software was legal in Canada. Allan Reynolds, secretary of the Canadian Alliance Against Software Theft (CAAST) in Toronto, told Newsbytes the practice has led to a significant amount of software piracy. People were renting software, taking it home and making copies for their own use, and then returning it.

The change in Canadian copyright law will "help to alleviate the problem (of software piracy) significantly," Reynolds said. "Although rental does not comprise the majority of piracy instances, it's significant enough to be noticed."

NAFTA's coming into force hastened a change in the law that quite likely would have happened anyway, Reynolds added. The Canadian government, partly in response to pressure from CAAST, had been considering the possibility of changing the law to outlaw software rentals, and probably would have done so some time this year had NAFTA not forced its hand. (Grant Buckler/19940114/Press Contact: Allan Reynolds, CAAST, 416-598-8988)

US Takes Stand Against Japan Reverse Engineering Software

12/22/93 WASHINGTON, DC, U.S.A., 1993 DEC 22 (NB) -- The US is reportedly taking a strong stand over software in trade talks with Japan. Last week saw tough talk by US trade negotiators who were in Tokyo discussing software exports and copyright (intellectual property) protection related to the Japanese market.

Software is, "One of the leading exports for the US. It is a valuable export for the US and the government is going to protect its exports," said Michael Kirk of the US Patent Office, one of

the members of the negotiating team who spoke at a press conference in Tokyo. He pointed out that the US holds a 55 percent share of the Japanese software market.

The problem is that Japanese firms are currently pushing their government for a weakening in the copyright protection extended to computer software by easing the current restrictions on what is called "reverse engineering" - a technique in which programmers work backwards from an existing product and try to create an entirely new product which provides exactly the same features, but without using any of the original software's code.

Reverse engineering is often done by disassembling the applications program, a practice which is strongly objected to by most software publishers. Disassembly means that programmers use a special program to break down the program files sold by a company into programming language code. This code may or may not be identical to the original code which was used by the publisher to create their software by compiling it. In any case, the disassembled code provides a step-by-step guide to what the applications software actually does.

Major US software publishers like IBM and Apple object to reverse engineering because they feel that the only reason for pursuing this process is because the programmer intends to create a clone of the original software. This is denied by Japanese vendors who, reportedly, could present no convincing explanation of why they wanted to reverse engineer software if they did not intend to copy the best features of the US programs.

However, this is not a black and white issue. At least one US company, Storage Technology, says that reverse engineering would benefit it and other hardware makers because it would allow the company to make certain that its optical storage devices were fully compatible with Japanese hardware and software. Storage Tech's John Scropo said in a statement broadcast on CNBC that reverse engineering would triple hardware sales by its Japanese office.

As a result, Japanese officials have said that they would delay releasing a report which detailed plans by the government to loosen restrictions on reverse engineering.

Largest Prime Number Found - Again!

01/11/94 WASHINGTON, DC, U.S.A., 1994 JAN 11 (NB) -- $2^{859433}-1$ (two times two times two - 859,433 times) - that is the latest Mersenne prime number to be "discovered" by the world's

supercomputers. This time, as in six out of the last seven times, a Cray computer was used - not too surprising since the company uses a prime-generating routine as a test of newly completed systems.

A Cray C90 system determined that the 258,716 digit number was a prime, during recent tests conducted at Cray Research's Egan, Minnesota offices.

There are an infinite number of prime numbers, a fact which was proven by Greek philosopher/mathematician Euclid back a few of thousand years ago. However, some observers point out that, unless a new system (algorithm) for discovering large primes is developed, these large numbers are of little interest to any but theoretical mathematicians, and actually of very little interest to them as well.

The particular method used at Cray involves squaring ever larger numbers and is thus very processor intensive - providing a good test of some major components.

Prime numbers are those such as 2, 3, 5, 7, and of course $2^{859433}-1$, which are only evenly divisible by the prime number itself and the number one.

For now, new prime numbers can only be generated on very fast supercomputers because of the number of calculations involved and because they have no real practical application. Cynics point out that their discovery has to rely on such tests where the computer's working time is not being billed. (John McCormick/19940111)

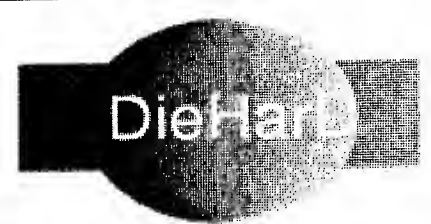
Editorial - The Online Future

By Dana Blankenhorn.

There's a great and growing paradox online. Users remain tied to modems running, at best, at 9,600 bits/second. Their main choices are among CompuServe, GENie, America Online, Applelink, and Prodigy on the consumer side, Dialog, Dow Jones, or Mead Data Central on the business side. Meanwhile, billions are being spent to "dominate" the coming world of multi-megabit services linked to cable TV.

While information providers and service providers work at arms-length in today's online world, and anyone with an idea has a shot at the market, there's a growing assumption that only "brand names" need apply in the future. The need to control such brand names has created a feeding frenzy among players, who like BellSouth, are determined to be "survivors" in a game that hasn't really started.

I don't know if anyone has noticed it or not, but Prodigy has yet to turn a profit, and will never, ever, make back the \$500 million IBM and Sears invested to



Seen Diehard Lately?

Diehard, The Flyer For The Commodore 8 Bitters, has to be the Cinderella story of 1993. When LOADSTAR first saw Diehard, it was your average good newsletter. What was (and still is) unique about *DieHard* was that it supports *all* 8-bit Commodore platforms, even the *Plus-4* and the *Vic-20*.

This ambitious venture of Brian and Mia Crosthwaite is an 8-bit event that must be seen. It shows what every Commodore user knows: It's not the computer, but the *user* who does the work; and if your work is professional, your output will be, too. *Diehard* is put together with a C-128D and *geoPublish*.

LOADSTAR lost contact with *DieHard* for about a year. We had heard of *DieHards* still floating around out there, but had never dreamt that it would blossom into what it is today. Then we got a call from Diehard, and a supply of back issues. *We were impressed!*

After laser printer and professional print shop, and *DieHard* is a full fledged magazine that still calls itself a mere flyer! *DieHard* was never so small that you could call it a true flyer. We're talking full color covers, glossy paper, and even those "professional" subscription cards that fall out when you open the magazine.

Make no bones about it. *DieHard* is officially **big** now -- bursting at the seams. More importantly, they ship regularly, ten issues per year.

I like the people I've spoken with over the phone. These are not your average "just the facts, ma'am" people. There's something about Mia's voice that makes me want to spill my life story. Fender has to warn me about phone time whenever I speak with anyone at *DieHard* or *CMD*. Speaking of *CMD*, I like the fact that the folks at *CMD* have given technical assistance where needed, even though they will soon be a direct competitor with *DieHard*. You'd be surprised how much handshaking goes on in the background between all of the remaining 8-bit companies -- well most of us anyway.

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CBM Happenings

CMD's new magazine, *Commodore WORLD*, manifested on *LOADSTAR*'s FAX machine today. 66 MHZ Arch Commodore basher, Dan Tobias, asked, "Why would anyone want to start a new Commodore magazine?"

Jeff Jones responded, "Because Commodore users love their computers, and CMD knows it. *Commodore WORLD* magazine will debut this spring, tentatively offering 8 issues per year. Subscriptions are \$29.95 yearly. *LOADSTAR*'s only reservations are that CMD can now come up with a new gadget and then scoup us on the review.



Who is this kid?

And why does *LOADSTAR* care about him? Why he's ex-teenage publishing magnate and long-time *LOADSTAR* contributor, Paul McAleer. When Paul first came to us, he wrote long, expressive, and more importantly, well-written letters to us. We knew he was a kid because he told us, but his written word at age 12 would put college students to shame. When he spoke to us on the phone, his voice was so high and tinny that we ribbed him about it. Then

Paul boldly proclaimed that he would one day become managing editor of *LOADSTAR*, which caused Fender's hair line to quickly recede. Paul then began writing C-64 and C-128 programs for *LOADSTAR*, earning big bucks as a programmer, and gaining notoriety around the globe. Then Paul did what very few teenagers would dare do: He started a national Commodore newsletter called *MICRO BYTES*, which gained a good following before being taken over by Greg Noggle.

Paul wrote us a very warm letter one day, telling us that he had purchased a 486 and no longer had a Commodore computer. He confessed that there was nothing out there as fun as *LOADSTAR*, and that while he loved his 486, he regretted selling his C-128D. Paul then vanished for over a year. When I called Paul, a voice as deep as James Earl Jones' spoke back to me. In the span of five years, Paul has grown from a kid whose hand you'd hold while crossing the street, to a teenage editor, to a ladykiller and businessman. At 16, Paul is a junior in high school, and marketing his shareware product for *Windows*, called *RAMGauge*, written in *Visual BASIC*. Paul spoke, not briefly, of his many ambitions. He's on his way to picket fences, fast cars, and maybe even political scandal. *LOADSTAR* wishes him well -- and good spin doctors. □



open it. This is because Prodigy continues to think it can control what people say and read online, choices best left to free people and free markets. The same hubris is now consuming such otherwise intelligent men as Bell Atlantic's Ray Smith, BellSouth's John Clendenin and TCI's John Malone.

The reasons for it can be found in the Bells themselves. The networks they offer are, compared to their promises, pitiful. If I were Ross Perot, comparing the Bells' promises and performance, I'd be a little crazy too. A decade ago the Bells promised a raft of new services based on a digital standard called ISDN. ISDN delivers two 64,000 bit/second data channels and a 16,000 bit/second signaling channel to residential customers. Today ISDN is offered in only a few places, and I still can't get it in Atlanta, despite living just a block from a major urban switch.

Even Bell-heads are in on this joke -- if the Bells were selling sushi they'd call it cold dead fish. Bell-head suppliers were happily pinning "cold dead fish" buttons to their lapels at this year's Supercomm trade show, and the Bell-heads were laughing right along.

The problem today remains the same as it was 10 years ago, when ISDN was the big buzzword. The Bells like to talk about competition, but all they really understand is monopoly. They won't make investments in plant and equipment unless they see a guarantee of profit. The same is true of the cable companies. That's what this feeding frenzy over Paramount is really all about -- control. The Bell-heads and cable-head ends figure if they don't control what goes over their systems, its cost, and the ability to keep others' content off, investments in the "information superhighway" just aren't worth it.

As Ross likes to say, "I find that fascinatin'." Every other business in the world seems to have figured out there's a difference between content and distribution. The former must always be risky, in the way that art and science are risky. There can be no guarantees the product will be as promised. There's no way to guarantee against a movie like "Ishtar" or "Popeye," no way to prevent a "Paula Poundstone Show" from reaching the air for two weeks. The risks are inherent in the process of trying something new. Distribution risks are different. They're about balancing the cost of obtaining business with the cost of providing service. Producers don't know if there will be any business. Distributors just worry about getting their share, and at what price.

My point -- billions and billions of dollars are going to be lost in the next few years, billions and billions of dollars that could have been profitably invested in fiber wires and high-capacity switches, billions and billions of dollars which will go instead to lawyers, deal-makers and accountants. The Japanese thought they had this game wired too, so Sony bought Columbia while Matsushita bought MCA-Universal. Now Matsushita wants out -- even deep pockets have a bottom to them. You'd think the Bell-heads would take a lesson from that and stick to their knitting. Not a chance -- like those old ladies fleeced by Zero Mostel in Mel Brooks' "The Producers" a quarter-century ago, they've got stars in their eyes and sawdust in their veins. The tragedy is this time we'll all pay for that, in the form of higher phone rates, and less technology online than we'd like, that we deserve, and that we'd pay for.

(Dana Blankenhorn/19931112) Newsbytes News Network

You're Gonna Hate Me, But...

This is the truth: I was going to review RIO's COMGEN, but my dog ate it. Really! No. Actually once again it has been bumped. This is due to space limitations and the fact that I've misplaced the docs. No self-respecting newsletter editor would review a genlock without the docs. I'll find the docs, and review the genlock very soon. I'll say this much now. The titling software is nice, the genlock works. If you want to buy one, it only works on 64s, not 128s in 64 mode.



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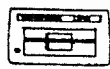
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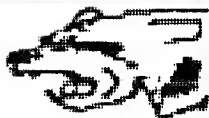
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